

**Regular City Council Meeting
May 3, 2016
Council Chambers
7:00 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Barnett
Councilor Bogan
Councilor Gates
Councilor Gray
Councilor Hamann
Councilor Keans
Councilor Lachapelle
Councilor Lauterborn
Councilor Torr
Councilor Varney
Councilor Willis
Mayor McCarley

OTHERS PRESENT

City Manager Daniel Fitzpatrick
Deputy City Manager Blaine Cox
City Attorney Terence O'Rourke
Commissioner John Storer
Karen Pollard, Economic Development
Manager
Julian Long, Community Development
Coordinator/Grant Manager
Kaitlyn Goodwin, Library
Brian Sylvester, Library Director

MINUTES

1. Call to Order

Mayor McCarley called the meeting to order at 7:00 PM.

2. Pledge of Allegiance add

**2.1. Presentation of the Colors and Pledge of Allegiance: The
Sons of the American Legion Post 7 Color Guard**

The Sons of the American Legion Roland E. Patnode Jr. Post 7 Color Guard presented the colors to the City Council and led the Pledge of Allegiance.

3. Opening Prayer

3.1. Opening Prayer: Gordon Oliver

Gordon Oliver, Sons of the American Legion, led the opening prayer.

3.2. Announcements: Bob Hoitt, Commander

Bob Hoitt, Commander, stated that Bob Johnson, Alan Plante, Dennis Belemore, and Glen Hickman presented the Colors this evening, and Gordon

Oliver led the opening prayer. Mr. Hoitt gave some details on the following announcements:

- May 21, 2016, Armed Forces Day – Lilac Mall
- May 30, 2016, Memorial Day Parade
- June 11, 2016, Flag Retirement Ceremony– American Legion

3.3. Proclamation: Memorial Day

Mayor McCarley read the Memorial Day Proclamation and presented it to Commander Hoitt, Sons of the American Legion.

4. Roll Call

Kelly Walters, City Clerk, took the roll call. All Councilor Members were present.

5. Acceptance of Minutes

5.1. April 5, 2016: Regular City Council Meeting

Councilor Lachapelle **MOVED** to **ACCEPT** the April 5, 2016, Regular City Council meeting minutes. Councilor Bogan seconded the motion. Kelly Walters, City Clerk, indicated that Councilor Hamann is listed as being present and the record should be correct to show he had been excused. Mayor McCarley called for a vote on the minutes as amended. The **MOTION CARRIED** by a unanimous voice vote.

5.2. April 19, 2016: Special City Council Meeting

Councilor Lachapelle **MOVED** to **ACCEPT** the April 19, 2016, Special City Council meeting minutes. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Communications from the City Manager

6.1. Employee of the Month Award

City Manager Fitzpatrick invited Kaitlyn Goodwin, Library, and Brian Sylvester, Library Director, to come forward. City Manager Fitzpatrick stated that Ms. Goodwin is responsible for creating and maintaining the Children's Library website's new "Interactive Book Finder," <http://rplchildrensrm.wix.com/bookfinder>. City Manager Fitzpatrick announced that Ms. Goodwin has been selected as the Employee of the Month for May.

6.2. City Manager's Report

City Manager Fitzpatrick gave the following report:

Management Team Meeting minutes:

- March 28, 2016
- April 4, 2016
- April 11, 2016
- April 18, 2016

Contracts and documents executed since last month:

- Factory Court Lease Agreement – Revolution Taproom & Grill

Department of Public Works:

- EDA Sewer Project – award docs
- EDA Sewer Project – notice to proceed
- Granite Ridge Phase II – design services – task order 10
- MS4 Annual Report
- Salmon Falls HSIP Project Easement

Economic & Community Development:

- Library Door installation - Berry's Electrical contract
- Division of Historical Resources – CLG (Certified Local Government) Grant Application
- RHA Environmental Review Statement – Supplemental
- Moose Plate Grant Application approval – under \$10,000

Finance Department:

- Refunding of 2008 Bonds Agreement

Police Department:

- Highway Safety Grant – Bicycle and Pedestrian Safety Patrols
- Highway Safety Grant – DWI Grant
- Highway Safety Grant – Sustained Traffic Enforcement
- Forfeiture Fund Expenses – FY 09-FY16 YTD

Standard Reports:

- City Council Request & Inquiry Report
- Permission & Permits Issued
- Personnel Action Report Summary

Councilor Keans asked what the status is regarding Club Victoire and their request to be treated as a charitable organization. Attorney O'Rourke replied that he met with the New Hampshire Board of Tax and Land Appeals; however, he has not heard back from the board as of yet. Councilor Keans stated that she did not see the difference between how the Elks Lodge operates and how Club Victoire operates.

Councilor Keans asked about the new recreation management software program being implemented at the Recreation Department. Deputy City Manager Cox explained that this is a program which would maintain scheduling, online registrations, and to accept online payments.

7. Communications from the Mayor

7.1. Proclamation: "National Economic Development Week" [May 8th – May 14th] and "Year of the Economic Developer" [2016]

Mayor McCarley read the proclamation and presented it to Karen Pollard, Economic Development Manager.

7.2. Proclamation: "Drinking Water Week" [May 1st – May 7th]

Mayor McCarley read the proclamation and presented it to Public Works Commissioner John Storer.

7.3. Proclamation: "National Department of Public Works Week" [May 15th – May 21st]

Mayor McCarley read the proclamation and presented it to Public Works Commissioner John Storer.

Mayor McCarley announced that Hazardous Waste Collection Day is to be held on Saturday, May 7, 2016, from 8:30 AM until 12:30 PM, located at the Turnkey Landfill on Rochester Neck Road.

Mayor McCarley announced that in honor of National Drinking Water Week, the City of Rochester is hosting an open house event at the new Water Plant on Friday, May 6, 2016, at noon.

Mayor McCarley announced that May 31st is the deadline for party affiliation changes in preparation for the State General Primary to be held on September 13, 2016 and the filing period will be open from June 1, 2016, until June 10, 2016. For more information contact the City Clerk's office at 332-2130.

Kelly Walters, City Clerk, announced that Nancy Carignan, City Clerk's office, has submitted her resignation to be effective on May 20, 2016. Ms. Walters stated that Ms. Carignan has been a valuable asset for the City Clerk's office since the fall of 2011.

8. Presentations of Petitions and Council Correspondence

8.1. Correspondence: Meeting Minutes of the Tri-City Coalition – March 17, 2016

Councilor Lauterborn stated that both she and Councilor Hamann attended this meeting. She said the panhandling ordinance was a topic for discussion at this particular meeting.

Councilor Lauterborn stated that a discussion occurred about pursuing cooperative efforts for cost savings within the Tri-City Fire Departments. She added that the local City Managers and local Fire Chiefs would be invited to meet to discuss this idea further.

9. Nominations, Appointments, Resignations, and Elections

No discussion.

10. Reports of Committees:

10.1. Community Development Committee

Councilor Lauterborn said there are two action items under New Business that could be taken up at this time.

Councilor Lauterborn said the First Impressions Program is a proposal which the University of New Hampshire is managing. She said basically two cities are paired. The two cities visit and evaluate one another's downtown areas. The City of Rochester, if it chooses to participate, would be paired with Littleton, New Hampshire. The Committee unanimously recommends that the City of Rochester participate in this program. There is no cost involved other than travel expenses for the traveling team. Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for the first time as follows:

RESOLUTION AUTHORIZING THE CITY OF ROCHESTER TO PARTICIPATE IN THE UNH FIRST IMPRESSIONS PROGRAM

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE

CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, approve the participation of the Economic Development Department in the UNH First Impressions Program. **CC FY16 05-03 AB 147**

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lauterborn explained that the City Council did not apply for the lead abatement grant last year because of the time constraint which was involved. The Committee is attempting to seek the Council's approval this year in order to apply for the same grant in approximately ten months from now. This is \$1,300,000 to be utilized over a three-year period. She said waiting for the next grant opportunity would give ample time to structure how the City would utilize such a grant. There is a ten percent match; however, it does not have to be a cash match from the City. It can be earned by accepting contribution from the individual property owners who would receive support from the grant or other contributions.

Councilor Lauterborn said if someone from the Building, Zoning, and Licensing Services Department is interested they could obtain a certification for lead abatement inspections.

Councilor Lauterborn stated that there is a good chance that the City would receive the grant because there are children in the City of Rochester who have already been identified as having lead paint issues. The City of Rochester would be the third City to ever receive such a grant in New Hampshire. She added that the Committee unanimously supports applying for this grant.

Councilor Bogan supported this grant application. She stated that a portion of this grant funding would be used for lead paint testing in the schools too.

Councilor Abbott supported this grant application. He said that dealing with lead abatement at any level is extremely expensive and if the problem is not resolved properly the results can be devastating. This is an opportunity for the landlords to be proactive in correcting lead abatement issues and to have some of the costs defrayed.

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for the first time as follows:

**RESOLUTION AUTHORIZING THE CITY ROCHESTER TO APPLY FOR A
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
GRANT FOR LEAD ABATEMENT**

**BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE
CITY OF ROCHESTER, AS FOLLOWS:**

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, approve the submission of a grant application in an amount up to One Million Five Hundred Thousand Dollars (\$1,500,000.00) to HUD to fund participation in the lead abatement program. **CC FY16 05-03 AB 146**

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. Councilor Varney questioned if a consultant would need to be hired in order to fill out the extensive grant application. Councilor Lauterborn replied that Kate Kirkwood, Lead Abatement Consultant, has offered to assist with the grant application if possible. She said that it seems clear that a consultant would have to be hired in order to manage the grant funding if the City is awarded the grant. She added that the Community Development Committee recommended that a consultant be hired instead of hiring a City employee for three years to manage the grant. The **MOTION CARRIED** by a unanimous voice vote.

10.2. Entertainment Zone Committee - *Forthcoming*

Councilor Varney said the Committee meeting minutes are available in the City Council packets. He said this is an effort to revitalize the operations at the fair grounds and hopefully generate some commercial activity there. He said Jim Campbell, Planning Director, is working on formatting the Entertainment Zone and modifying the tables and charts to be presented to the Planning Board, *tentatively on May 16, 2016*.

10.3. Finance Committee

Mayor McCarley said there is only one action item coming from the Finance Committee meeting. She stated that more information had been provided to the Finance Committee about the Wing Civil Air Patrol and a unanimous recommendation was made to accept this agreement. She **MOVED** to **ACCEPT** the lease agreement with the Wing Civil Air Patrol. Councilor Varney seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.4. Government Channel Committee

Councilor Willis gave a brief overview of the Government Channel Committee meeting. He said Norm Sanborn, Sr. attended the meeting in order to express the Veterans Council's desire for the Government Channel to produce and carry their program that was once produced at Metrocast.

Councilor Willis said the Committee recommended the following people be appointed to the Franchise Renewal Committee: Dennis Schafer, MIS Supervisor; Celeste Plaia, Government Channel Coordinator; David A. Yasenchock, Chief Technology Officer of the Rochester Schools; Michael Hopkins, Superintendent of Schools; John LaRochelle, Rochester resident *and suggested chair*; Don Hamann, City Councilor, Megan Rohrbacher, Rochester Resident and Assistant Director at Wolfeboro Community Television; and Attorney Terrence O'Rourke, City Attorney. Mayor McCarley appointed all members as stated above.

Councilor Willis gave a brief overview of the cost associated with live streaming the City of Rochester's meetings over the internet using the current vendor used for the City of Rochester's Video on Demand, accessible through the current City of Rochester's website.

10.5. Public Safety Committee

Councilor Hamann gave an overview of the Public Safety Committee items that have been left in Committee. He said Deputy Police Chief Toussaint gave the Committee information about some Highway Safety Grants.

Councilor Hamann stated that Michael Bezanson, PE, City Engineer, gave an update about the work being done on the corner of Washington Street/Estes Road intersection. Councilor Gates stated the State of New Hampshire Department of Transportation has demolished the house, which sat on the corner of this intersection. The State is intending to improve the site vision for this dangerous intersection.

Councilor Hamann stated that Mr. Bezanson will send a letter to the State District 6 requesting that the traffic lights at the corner of Oak Street/Colby Street and Route 125 be checked out. He would also have DPW staff look at the timing of the lights at the Home Depot/Hannaford and Cumberland Farms/McDonald's.

Councilor Hamann stated that Mr. Bezanson had reported back to the Committee regarding what could be posted on a utility pole. Mr. Bezanson stated that the utility companies own the utility poles located in the right-of-way and technically there shouldn't be anything attached to the pole without a licensing agreement; without an agreement it is illegal to attach anything to a utility pole.

Councilor Hamann stated that the Committee received a brief update on the Salmon Falls Road Highway Safety Improvement Program Project.

Councilor Hamann confirmed that the “no parking” signs have been installed in front of Cumberland Farms on Milton Road.

Councilor Hamann stated that the “stop bar” has been painted on Farmington Road.

Councilor Hamann said Mr. Bezanson has made a formal request to the State for a traffic signal to be erected at the intersection of Farmington Road (Route 11) and Nashoba Drive.

Councilor Lachapelle asked for the status update about the bus stop for UNH. Deputy City Manager Cox agreed to follow up with the representative from Wildcat Transit.

10.6. Public Works Committee

Councilor Torr expressed concern about the Columbus Avenue Parking Lot expansion and giving the City Manager authorization to enter into an agreement for the private contributions to made in advance of this project. Mayor McCarley stated that this would be voted upon during New Business.

Councilor Torr gave a brief overview of the discussion regarding an agreement with the Keay Field Association for water irrigation. He **MOVED** to authorize the City Manager to enter into an agreement with the Keay Field Association for water irrigation, future snow storage use, and City use of the athletic fields. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Willis said there are two legislative issues in which the City Council should send a letter of support. The first HB1428 is for the State of NH to fund its obligations relating to the State Aid Grant (SAG) and the other legislation is SB368 relative to investing State of NH Capital Funds in a shared monitoring effort to track critical water quality and biological parameters in the Great Bay.

Councilor Willis stated for the last six years the State stopped funding the SAG, leaving some communities, including Rochester. Councilor Lauterborn supported HB1428 and asked what the status of this bill is currently. Councilor Gray stated that the Executive Session is scheduled to meet on May 4, 2016, at 10:00 AM. Councilor Lachapelle **MOVED** to support the legislative issues as stated above. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Councilor Keans suggested that the two letters of

support be sent directly to the local State Representatives and the Chair of their Finance Committee.

Councilor Torr stated that the Committee discussed a recommendation made by the Utility Advisory Board for utility monthly invoicing vs. quarterly invoicing. This topic has stayed in Committee.

Councilor Torr said a discussion occurred about the flat rate sewer fee for non-metered customers. Councilor Gray informed the City Council that he requested that the Public Works Department add this as an Agenda item after reviewing his own utility bill and a constituent complaint. It seems that his own sewer bill is half of what the standard rate would be for an unmetered customer. He gave details of how the meters would be paid by the customer. He said there are only 18 properties in the City of Rochester who currently pay the standard rate because they do not have city sewer; however, they do have city water. Councilor Gray **MOVED** to **APPROVE** allowing the Department of Public Works staff to work toward metering all private well customers that are being charged the flat rate sewer fee. Councilor Lachapelle seconded the motion. Mayor McCarley asked for clarification if this motion would allow the process to begin without seeking any more City Council approval. Councilor Gray replied yes, however, a customer would not be forced to install a meter. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Torr listed three CIP items listed for the Public Works Department. The City Council will discuss these items further during the budget season.

Councilor Varney stated that a prioritized paving list should have been included with the packet. There should be a list available in order to begin paving on July 1, 2016. This should at least be discussed at the next Public Works Committee in May. Councilor Torr gave reasons why he agreed paving has to be done based upon the temperature.

11. Old Business

No discussion.

12. New Business

12.1. **AB 149 Resolution Authorizing Supplemental Appropriation to the 2016-2017 Operating Budget of the City of Rochester Recreation Department for Service Related to the Teen Travel Camp First Reading, Second Reading, and Adoption**

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED**

by a unanimous voice vote. Mayor McCarley read the resolution by title only for the first time as follows:

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION
TO THE 2015-2016 OPERATING BUDGET
OF THE CITY OF ROCHESTER RECREATION DEPARTMENT FOR
SERVICES RELATED TO THE TEEN TRAVEL CAMP**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That the sum of Five Thousand Dollars (\$5,000.00) be, and hereby is appropriated as a supplemental appropriation to the 2015-2016 operating budget of the City of Rochester Recreation Department for the purpose of providing funds for use in connection with the Teen Travel Camp. The sums necessary to fund such supplemental appropriation shall be drawn in their entirety from the City of Rochester School Department's Safe Schools Healthy Students (SSHS) Grant fund. Further, that this supplemental appropriation will be assigned to a non-lapsing multi-year fund. To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution and to establish a special revenue, non-lapsing, multi-year fund to which said sums shall be transferred. **CC FY 16 05-03 AB 149**

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution by title only for the second time. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for the second time.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

12.2. AB 148 Renewal of the Economic Revitalization Zone for the Granite State Business Park Motion to Approve

Councilor Lachapelle **MOVED** to **APPROVE** the Renewal of the Economic Revitalization Zone for the Granite State Business Park. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

12.3. AB 135 – B Resolution Adopting A 2016-2017 Rochester CDBG “Action Plan for the City of Rochester, New Hampshire” and Approving and Appropriating the 2016-

**2017 Community Development Budget for the City of
Rochester Second Reading and Adoption**

Councilor Lauterborn **MOVED** to read the resolution for the second time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for the second time as follows:

**RESOLUTION ADOPTING A 2016-2017 ROCHESTER CDBG
"ACTION PLAN FOR THE CITY OF ROCHESTER, N.H." AND
APPROVING AND APPROPRIATING THE 2016-2017
COMMUNITY DEVELOPMENT BUDGET FOR THE CITY OF ROCHESTER**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
ROCHESTER, AS FOLLOWS:**

I. That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby adopt the one-year 2016-2017 "Action Plan for the Community Development Division for the City of Rochester, N.H.," as prepared and presented to the Mayor and City Council by the City of Rochester Office of Economic and Community Development, in connection with the City's Community Development Block Grant (CDBG) program, including the goals, objectives, and concepts set forth therein;

II. Further, that a twelve (12) month Community Development Block Grant budget for the Office of Economic and Community Development for the City of Rochester in the total amount of Two Hundred Forty-One Thousand and Fifty-Two Dollars (\$241,052.00) be, and hereby is, approved and appropriated for fiscal year 2016-2017. Included in said approval and appropriation are expenditures set forth in the one-year action plan of the Office of Economic & Community Development for the City of Rochester for the Community Development Block Grant program, in the following categories and amounts:

Administration and Planning	\$ 48,210.40
Public Service Agencies	\$ 36,157.80
Housing/Public Facilities/Infrastructure	<u>\$ 156,683.80</u>
Total	\$241,052.00

This budget and the one-year action plan for 2016-2017 may be reconsidered if federal funding is changed or if it is inconsistent with the total 2016-2017 budget adopted for the Office of Economic & Community Development.

The sums necessary to fund the above appropriation in the amount of Two

Hundred Forty-One Thousand and Fifty-Two Dollars (\$241,052.00) shall be drawn in their entirety from the above-mentioned 2016-2017 fiscal year Community Development Block Grant from the federal government to the City of Rochester. The Finance Director is hereby authorized to create such line item accounts as shall be necessary to implement this Resolution.

Furthermore, in the event that federal funding for the above Community Development Block Grant budget is less than the total appropriation amount provided for in this Resolution, then, and in such event, the City Manager, or his designee in the Office of Economic and Community Development, is authorized to proportionately reduce the amounts for the budgetary categories stated above, as well as for any planned grants and/or other expenditures made from within such budgetary categories. **CC FY 16 AB 135 – B**

Councilor Lauterborn **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. Councilor Varney stated that it has been brought to his attention that page 156 of the packet material is in need of a correction, which is the date of the first public hearing, which was held on December 15, 2015, and not on December 15, 2016. This does not affect the resolution to be adopted. The **MOTION CARRIED** by a unanimous voice vote.

12.4. AB 145 Resolution Accepting Reimbursement from the Police Standards & Training Council and Approve a Supplemental Appropriation Thereof First Reading, Second Reading, and Adoption

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for the first time as follows:

RESOLUTION ACCEPTING REIMBURSEMENT FROM POLICE STANDARDS & TRAINING COUNCIL AND SUPPLEMENTAL APPROPRIATION THEREOF

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

WHEREAS, that a reimbursement for Field Officer Training from the Police Standards & Training Council in the amount of Two Thousand Three Hundred Dollars (\$2,300.00) to the City of Rochester Police Department is hereby accepted by the City of Rochester.

FURTHER, that the sum of Two Thousand Three Hundred Dollars

(\$2,300.00) be, and hereby is, appropriated as a supplemental appropriation to the City of Rochester Police Department Operating Budget. Further, that the source of the sums necessary to fund such appropriation shall be drawn, in their entirety, from the aforesaid reimbursement.

FURTHER, to the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. **CC FY16 05-03 AB 145**

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution by title only for the second time. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for the second time.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

12.5. AB 146 Resolution Authorizing the City of Rochester to Apply for a United States Department of Housing and Urban Development (HUD) Grant for Lead Abatement First Reading and Adoption

This resolution was adopted under the Community Development Committee Report.

12.6. AB 147 Resolution Authorizing the City of Rochester to Participate in the University of New Hampshire's First Impressions Program First Reading and Adoption

This resolution was adopted under the Community Development Committee Report.

12.7. AB 151 Resolution Authorizing Accepting of Victims of Crime Act (VOCA) Grant Award and Appropriation of Grant Funds to the FY 2016-2017 Legal Department Budget First Reading, Second Reading, and Adoption

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a majority voice vote. Mayor McCarley read the resolution by title only for the first time as follows:

RESOLUTION AUTHORIZING ACCEPTANCE AND APPROPRIATION OF VICTIMS OF CRIME ACT (VOCA) GRANT AWARD AND TRANSFER OF

FUNDS FROM THE FY 2016 LEGAL DEPARTMENT BUDGET

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

WHEREAS, that a Victims of Crime Act (VOCA) grant in the amount of Twenty-Five Thousand Eight Hundred and Thirty-Six Dollars (\$25,836.00) awarded to the City of Rochester's Legal Department is hereby accepted by the City of Rochester;

WHEREAS, the aforesaid grant requires a 25% cash match by the City of Rochester of Six Thousand Four Hundred Fifty Nine Dollars (\$6,459.00), to the Victims of Crime Act (VOCA) grant by City of Rochester's Legal Department;

FURTHER, that the sum of Twenty-Five Thousand Eight Hundred and Thirty-Six Dollars (\$25,836.00) be, and hereby is, appropriated to a non-lapsing Special Revenue Fund to be created for the purpose of carrying out the purposes of the Victims of Crime Act grant;

FURTHER, that the transfer of Six Thousand Four Hundred Fifty Nine Dollars (\$6,459.00) from the FY 2016 Legal Department Operating Budget to the non-lapsing Special Revenue fund stipulated above is hereby authorized;

FURTHER, that the City Manager is authorized to enter into a grant agreement and any other contracts with the New Hampshire Department of Justice that are necessary to receive and administer the grant funds detailed above; and

FURTHER, to the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. **CC FY 16 AB 151**

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution by title only for the second time. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a majority voice vote. Mayor McCarley read the resolution by title only for the second time.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a majority voice vote.

12.8. AB 154 Resolution Authorizing Supplemental Appropriation to the Department of Public Buildings Capital Improvement Plan (CIP) Fund for the Columbus

Avenue Parking Lot Project First Reading, Second Reading, and Adoption

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for the first time as follows:

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION
TO THE 2015-2016 DEPARTMENT OF PUBLIC WORKS CAPITAL
IMPROVEMENT PLAN (CIP) FUND FOR THE COLUMBUS AVENUE
PARKING LOT PROJECT**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That a sum not to exceed One Hundred Thirty Thousand Dollars (\$130,000.00) be, and hereby is, appropriated as a supplemental appropriation to the 2015-2016 City of Rochester Department of Public Works CIP Fund, for the purpose of providing funds necessary to pay costs and/or expenditures associated with the Columbus Avenue Parking Lot Project and provided further that funds for such supplemental appropriation shall be derived as follows : Fifty Percent (50%) or Sixty Five Thousand Dollars (\$65,000.00) from the General Fund unassigned fund balance and Fifty Percent (50%) or Sixty Five Thousand Dollars (\$65,000.00) from a private contribution.

It is further resolved that the City Manager may execute an agreement with the private contributor that construction on the Project will not commence until the City is in receipt of the entire Sixty Five Thousand Dollars (\$65,000.00).

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. **CC FY16 05-03 AB 154**

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution by title only for the second time. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for the second time.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. Councilor Willis stated opposition to the motion. This is a large amount of money to be expended to benefit on business. The **MOTION CARRIED** by a majority voice vote.

12.9. AB 155 Resolution Accepting Department of Commerce Grant for Gonic Dams Removal Project and Supplemental Appropriation Thereof First Reading, Second Reading, and Adoption

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for the first time as follows:

RESOLUTION ACCEPTING DEPARTMENT OF COMMERCE GRANT FOR GONIC DAMS REMOVAL PROJECT AND SUPPLEMENTAL APPROPRIATION TO THE 2015-2016 DEPARTMENT OF PUBLIC WORKS CAPITAL IMPROVEMENT PLAN (CIP) FUND

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

WHEREAS, that a United States Department of Commerce Grant in the amount of Thirty Four Thousand Two Hundred Seventy Three Dollars (\$34,273.00) to the City of Rochester is hereby accepted by the City of Rochester.

WHEREAS, the aforesaid grant will be managed by the New Hampshire Department of Environmental Services (DES);

FURTHER, that the sum of Thirty Four Thousand Two Hundred Seventy Three Dollars (\$34,273.00) be, and hereby is, appropriated as a supplemental appropriation to the 2015-2016 Department of Public Works CIP Fund, such funds to be used exclusively for grant purposes. Further, that the source of the sums necessary to fund such appropriation shall be drawn, in their entirety, from the aforesaid grant;

FURTHER, the City Manager is hereby authorized to enter into a contract with DES for the management of the grant funds to be used for the Gonic Sawmills Dams Removal Project; and

FURTHER, to the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. **CC FY16 05-03 AB 155**

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution by title only for the second time. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor

McCarley read the resolution by title only for the second time.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**12.10. AB 156 House Bill 1534 and Amendment 1514s
Electronic Poll Book Motion to Send a Letter of Support
to the Representatives to the General Court**

Councilor Lachapelle **MOVED** to send a letter of support to the Representatives to the General Court. Councilor Bogan seconded the motion. Councilor Keans asked the City Clerk how these Electronic Poll Books would speed up the process on Election Day. Ms. Walters explained that most of the timesavings would occur after the polls close and the checklist and tally of the votes is being counted. The electronic poll book would keep track of the day's event in a more efficient way. This would also speed up the lines during the day as the lines would not have to be separated by letters of the alphabet. The system would allow voters to swipe their driver's license into the system or allow the poll worker to manually enter the information into the system. Councilor Gray said the biggest savings for the City would occur after Election Day. Each of the checklists would be delivered to the City Clerk on the evening of the Election Day and eliminate the need to hire additional employees for entering in the election history and voter registration information. This would also save time in the evening of the Election Day for the poll workers and give accurate information. Councilor Gray stated that these would be iPads and most likely the company supplying the devices would pay for the devices during the trial period for the few towns/cities chosen to test the devices and then the cost would likely shift to the towns/cities as the voting machines do today. He gave more information about the amendments to the original bill. Councilor Lauterborn said it seems that the City and Town Clerk's Association along with the NH Municipal Association has supported this bill. Councilor Gray said the Secretary of State's arguments against this bill has convinced the Speaker of the House to work on delaying the testing period, noting that a test should not occur at the Presidential Election in November this year. The **MOTION CARRIED** by a unanimous voice vote.

**12.11. AB 157 Resolution Authorizing a Supplemental
Appropriation in Support of the Partnership Between
Frisbie Memorial Hospital, SOS Recovery Community
Center and Other Local Organizations in Connection
with a Proposed Addictive Disorders Recovery Facility
Project First Reading, Second Reading, and Adoption**

Councilor Lachapelle **MOVED** to read the resolution for the first time

by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for the first time as follows:

**RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN
SUPPORT OF THE PARTNERSHIP BETWEEN FRISBIE MEMORIAL
HOSPITAL, SOS RECOVERY COMMUNITY CENTER AND OTHER LOCAL
ORGANIZATIONS IN CONNECTION WITH A PROPOSED ADDICTIVE
DISORDERS RECOVERY FACILITY PROJECT**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

WHEREAS, Frisbie Memorial Hospital, SOS Recovery Community Center, the Rochester Housing Authority, the Rochester Police Department, Rochester Bridging the Gaps, as well as other community oriented groups, are seeking to collaborate upon the creation of an addictive disorders recovery facility; and

WHEREAS, the City seeks to support the efforts of this partnership by supporting the creation of a facility, staffing and operational support to run this program, specifically the employment of a full time coordinator, peer-to-peer counselors, and office equipment and furnishings.

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby resolve that the sum of Seventy-Five Thousand Dollars (\$75,000.00) be, and hereby is, appropriated as a supplemental appropriation to the 2015-2016 operating budget of the City of Rochester. The purpose of this supplemental appropriation is to provide the sums necessary to provide support with respect to the addictive disorders recovery center described above and provided further that such appropriation shall be drawn in its entirety from the General Fund undesignated fund balance of the City of Rochester.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. **CC FY 16 AB 157**

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution by title only for the second time. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for the second time.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. Councilor Lauterborn recommended that if the

City is sending a check to the hospital for this reason it should be accompanied with a letter requesting that a public meeting take place in order to fully inform the citizens and to gather public input. Councilor Varney stated that this is already required to be sent to the Planning Board because it would be a change of use. The City is only approving the funding at this time. Councilor Bogan voiced concern of this facility being located in the downtown area and the business should be given an opportunity to speak about the location. Councilor Gates agreed and said there are a lot of logistics to consider. Councilor Torr agreed that it should be kept away from the downtown area and suggested the Community Center as one option. Mayor McCarley understands the concerns which have been voiced; however, the location of such a service must be accessible to the individuals seeking this type of assistance. She expressed confidence in Frisbie Memorial Hospital to step up and run this program effectively. She disclosed that there are businesses in the downtown area who are concerned about the location; however, she felt this is an important to support this "need" for this community at this time. She felt that if the Community is overwhelming against the project that Frisbie Memorial Hospital would not move forward and return the funding back to the City. Several Councilors felt most issues would be resolved through the Planning Board process. Councilor Torr requested a roll call vote. The **MOTION CARRIED** by a 13 to 0 roll call vote. Councilors Bogan, Abbott, Varney, Willis, Lachapelle, Gray, Barnett, Torr, Hamann, Gates, Keans, Lauterborn, and Mayor McCarley voted in favor of the motion.

12.12. AB 152: Resolution Approving the 2016-2017 Operating Budget for the City of Rochester First Reading and Refer to a Public Hearing to be held on May 31, 2016

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only and refer the matter to the May 31, 2016, Public Hearing. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for the first time as follows:

**RESOLUTION APPROVING 2016-2017 OPERATING BUDGET
FOR THE CITY OF ROCHESTER**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That a twelve (12) month operating budget for the City of Rochester be, and hereby is, approved and appropriated for the period beginning July 1, 2016 and ending June 30, 2017 in the amounts and for the purposes more particularly set forth in the City of Rochester, Proposed Budget, Fiscal

Year 2017 (July 1, 2016 - June 30, 2017), as amended, the provisions of which are incorporated herein by reference thereto by attached **Exhibit A**.

This budget may be reconsidered before the tax rate is set if City, School and/or County revenues are changed by the State of New Hampshire or by the Federal Government. The budget appropriations contained in this Resolution are predicated upon projected revenues as more particularly set forth in the City of Rochester, Proposed Budget, Fiscal Year 2017 (July 1, 2016 - June 30, 2017), as amended, the provisions of which are incorporated herein by reference thereto. **CC FY 16 AB 152**

Operation s	Exhibit A	FY17 Mgr Proposed
General Fund		
	City Operations	\$23,395,809
	County Taxes	\$6,075,141
	Debt Service	\$3,431,440
	Capital Projects Transfer	<u>\$2,088,400</u>
	Total City General Fund Operations	Total City
	School	\$58,878,599
	School State Education Tax	\$4,825,327
	City Grants & Special Rev Funds	\$436,052
	School Grants & Special Rev Funds	\$5,371,000
	Community Center	\$810,954
	Total Operating Budgets	\$105,312,722
Enterprise Funds		
	Water Fund	\$5,785,363
	Sewer Fund	\$6,885,179
	Arena Fund	\$581,453
	Tax Incremental Financing Districts	\$875,722
	Total Enterprise Operating Budgets	\$14,127,717
	Total Operations all Funds	\$119,440,439

12.13. AB 153 Resolution Authorizing and Approving 2016-2017 Capital Budget for the City of Rochester and Authorizing Borrowing in Connection Therewith First Reading and Refer to a Public Hearing to be held on May 31, 2016

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only and refer the matter to the May 31, 2016, Public Hearing. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for the first time as follows:

**RESOLUTION AUTHORIZING AND APPROVING 2016-2017 CAPITAL
BUDGET FOR THE CITY OF ROCHESTER AND AUTHORIZING
BORROWING IN CONNECTION THEREWITH**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That the capital budget for the City of Rochester for the July 1, 2016 to June 30, 2017 fiscal year in the total amount specified in **Exhibit A** annexed hereto, be, and hereby is, authorized and appropriated, and, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, is hereby authorized to arrange borrowing to finance a portion of said capital budget appropriation as identified on Exhibit A annexed hereto.

The aforementioned borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful lives of the capital projects for which borrowing is authorized by this resolution shall be more particularly set forth in the "City of Rochester, New Hampshire, Proposed CIP Budget, Fiscal Year 2017 (July 1, 2016 –June 30, 2017), as amended. **CC FY 16 AB 153**

Exhibit A is attached to this set of minutes.

13. Other

Councilor Gates gave a reflection about the Battle of Normandy. Councilor Torr stated that it is important to remember the local veterans.

14. Non-Public Session

14.1. Non-Public Session, Labor Negotiations, per RSA 91 – A:3, II (a)

14.2. Non-Public, Land, RSA 91-A: 3, II (d)

Councilor Varney **MOVED** to enter into the Non-Public Session as listed above at 8:40 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lauterborn **MOVED** to seal the Non-Public meeting minutes at 9:05 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Councilor Lauterborn **MOVED** to exit the Non-Public Session at 9:05 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

15. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the Regular City Council meeting at 9:06 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters, CMC
City Clerk

2016-2017 CAPITAL IMPROVEMENTS REVENUE SUMMARY-RESOLUTION EXHIBIT A

	PROJECT AMOUNT	BORROWING PROCEEDS	O&M CASH	FUND BAL RET EARN	TIF REVENUE	TIF BORROWING	GRANTS
<u>GENERAL FUND</u>							
CITY*	5,453,400	3,310,000	2,088,400	0	0	0	55,000
SCHOOL	27,763,773	10,128,273	135,500	0	0	0	17,500,000
TOTAL GENERAL FUND	33,217,173	13,438,273	2,223,900	0	0	0	17,555,000
<u>ENTERPRISE FUNDS</u>							
WATER	4,544,000	4,355,000	189,000	0	0	0	0
SEWER	9,470,000	9,285,000	185,000	0	0	0	0
AREA	575,000	575,000	0	0	0	0	0
TOTAL ENTERPRISE FUNDS	14,589,000	14,215,000	374,000	0	0	0	0
<u>TIFS</u>							
GRANITE STATE BUSINESS PARK	1,500,000	0	0	0	100,000	1,400,000	0
GRANITE RIDGE DEVELOPMENT	100,000	0	0	0	0	100,000	0
	1,600,000	0	0	0	100,000	1,500,000	0
TOTAL ALL CIP	49,406,173	27,653,273	2,597,900	0	100,000	1,500,000	17,555,000

* Includes Community Center CIP's